

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CROWN PAPER LIQUIDATING TRUST,

No. 02-3836 MMC

Plaintiff,

v.

PRICEWATERHOUSECOOPERS LLP f/k/a
COOPERS & LYBRAND, et al.,

Defendants

**ORDER RE: PLAINTIFF'S EMERGENCY
MOTION TO STAY ENFORCEMENT OF
ATTORNEY'S FEES AWARDS AND
REQUEST FOR REDUCTION OF
SUPERSEDEAS BOND OR, IN THE
ALTERNATIVE, FOR ORDER
PERMITTING TRUST TO BE ADVANCED
MONEY**

On March 30, 2005, the Court granted defendant Houlihan Lokey Howard & Zukin's ("Houlihan") motion for an award of attorney's fees, and awarded Houlihan fees and non-taxable costs in the total amount of \$480,385.43. Additionally, on March 30, 2005, the Court granted defendant Credit Suisse First Boston LLC's ("Credit Suisse") motion for an award of attorney's fees, and awarded Credit Suisse fees and non-taxable costs in the total amount of \$824,913. On April 22, 2005, plaintiff filed a notice of appeal from the above-referenced orders.

Before the Court is plaintiff's "emergency motion," pursuant to Rule 62(d) of the Federal Rules of Civil Procedure and Rule 8005 of the Federal Rules of Bankruptcy Procedure, to stay enforcement of the above-referenced orders pending appeal and for a reduction of the bond requirement. Alternatively, and in the event the Court were to find a

1 reduction of the bond amount is not appropriate, plaintiff requests permission from the
2 Court to allow plaintiff's counsel to advance plaintiff the funds necessary to obtain a
3 supersedeas bond or to pay off the attorney's fees awards. Houlihan and Credit Suisse
4 have filed a joint response, stating that while they do not oppose the Court's granting
5 permission to allow plaintiff's counsel to advance plaintiff the funds necessary to pay off the
6 attorney's fees awards, Houlihan and Credit Suisse oppose the other forms of relief sought
7 by plaintiff and seek the opportunity to respond to those aspects of the motion on the
8 merits.

9 The Court, having reviewed plaintiff's motion, notes that plaintiff has not provided a
10 proposed order or orders specifying the relief sought, and, in particular, the specific amount
11 and other terms of the bond.

12 Accordingly, the Court hereby sets the following briefing schedule:

13 1. Plaintiff shall submit to the Court and serve on Houlihan and Credit Suisse a
14 proposed order as to each alternative form of relief sought.

15 2. Within five court days of the date plaintiff serves the proposed orders on Houlihan
16 and Credit Suisse, Houlihan and Credit Suisse shall file its opposition to the motion.

17 3. Within five court days of the filing of the opposition, plaintiff may file a reply.

18 4. Thereafter, unless the parties are advised otherwise, the Court will rule on the
19 matter on the papers submitted.

20 **IT IS SO ORDERED.**

21
22 Dated: June 3, 2005

/s/ Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge